

URUGUAY FROM AUGUST 1977 to JANUARY 30th 1978R
AG 001GENERAL REMARKS

- We have choosen 8 differents kinds of situations and selected some of the most representative cases in order to best exemplify the situations.
- Neither the kinds of situations nor the number of cases are exhaustive.
- It must be remembered that this report is limited in time to the last 6 months. For that reason there are only four death cases reported as result of systematic practices of physical and psychological torture or abuses on detainees (although there are more than 60 death cases during the last years); twelve cases of disappearance in Uruguay and Argentina (although there are almost 100 cases since the end of 1975); one hundred of arbitrary arrests, administrative detentions or unfair trials (actually there are more than 6.000 political prisoners in Uruguay); and a few but significant cases of attacks against the Press (although more than 30 newspapers and other publications have been closed in Uruguay); etc.
- These situations confirm that the Uruguayan Government during the last 6 months had not stopped its violations of human rights, but has in fact, increased them.

I DEATHS in consequence of abuse or torture practices

1. PEREYRA, Hugo: 54 years old, detained on the fall of 1975 and later indicted by the Military. On August 1977, the Army delivered his corpse to his family with the head almost shattered and a large incision across the abdomen: The Armed Forces certified the reason for death as "cerebral embolism".
2. ESQUIVO, Héber: 42 years old with 3 children. Accused by a military court in 1972, detained at "Libertad" (Military Detention Establishment Nr. 1), last August he was forced to undergo a prolonged "pánton" (forced standing for long periods) which caused a fatal heart attack.

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

☒ Release ☐ Excise ☐ Deny

Exemption(s):

Declassify: ☐ In Part ☐ In Full☐ Classify as ☐ Extend as ☐ Downgrade toDate ☐ Declassify on ☐ Reason81D208
Box 4975

3. GARCIA, Marcelino, 63 years old, a former sargent. Also detained in "Libertad" prison, his death was a result of a heart attack (infarct) which not received any medical care.

- 4. ✓ SOARES NETTO, Myriam VIENES de: 46 years old, the widow of Deputy Soares Netto. Died in November 5th 1977 in the "Hospital Italiano". She was arrested by the Navy the 6th May 1977 and was held "incomunicado" without warrant of charge for more than three months. On 15th August 1977 a Military Court accused her of "Asistencia a la Asociacion" (Assistance to subversive association). On 29th October 1977 she was released and died seven days later - another example of omission of medical care. The official explanation of the Uruguayan Navy stated:

a) that when Mrs. Soares Netto was arrested the Army verified a pre-cancerous wound.

b) that only three months after she was admitted to the Military Hospital.

c) the same year, on September 18th, a biopsy indicated cancer.

d) Nevertheless the same day (September 18th 1977) Mrs. Soares Netto returned to the place of detention when she was previously held by the Navy,

e) 8 days later the Army returned her to the Military Hospital.

f) when she was finally released from custody she was admitted immediately to the "Hospital Italiano" in such a serious condition that she was put in the intensive medical care center, where she died seven days after.

5. CEDRES IBARBOUROU, Norma: widow, 45 years old. Arrested in the fall of 1975 and savagely tortured. According an official communicate she committed suicide at her cell in Punta Rieles", women prison, during the month of January 1978.

II DISAPPEARANCES

A. Disappearances in Uruguay

- 1. CASTRO, Julio: 69 years old, eminent teacher and journalist, he was for a long period the UNESCO Programme Director for several Latin America countries. He was also assistant director of "Marcha", an influential cultural weekly, until its close in 1974. He was arrested on a street of Montevideo, on August 1st. 1977. Since this day no news about his whereabouts nor about the car he was driving when

detained. The Uruguayan Government have never admitted his detention, and on October 3rd. 1977, an official communicate stated that Julio Castro made a voyage to Buenos Aires the 22nd. September 1977. Nevertheless the Argentinean Government - answering officially to the Inter-American Human Rights Commission of the O.A.S. stated that in spite of the fact that his name figures in a passenger list, Julio Castro entrance in the Argentina Republic was not registered. The Reverend Josph Eldridge of the Washington Office of latin America Director, declared that "the Argentinean answer constitutes a documentary evidence of the Uruguayan authorities falsehood in order to cover their responsability in the Julio Castro's sequestration and murder". Those who known Julio Castro well are completely convinced that his age and feeble health would not enable him to survive the habitual treatement that the Military forces inflict to political detainees.

2. COHEN PAPP, Ricardo: 28 years old, with one son, advanced Medical student. Arrested in Montevideo in the beginning of September 1977. Up to now his relatives have been unable to get any information about his actual situation.

3. ESCUDERO, Julio César: clerk of a Bank.

B. Disappearances in Argentina

1. D'ELIA PALLARES, Julio César, Uruguayan, 32 years old, married, an economist. Arrested in Buenos Aires the 2nd half of December 1977, the Argentinean authorities have refused to give any information about his detention.

2. DELIA, Yolanda de : wife of Julio C D'Elia, Uruguayan. When she was arrested with her husband, was 8 months pregnant.

3. BORELLI CATTANEO, Raúl: Uruguayan, 23 years old, a Medical student. Arrested in B. Aires on December 22nd, 1977 at 6 o'clock A.M. His relatives presented an appeal of "Habeas Corpus" and a complaint to the ACNUR, but the Argentinean Authorities didn't admit his detention.

4. MARTINEZ, Mario: Uruguayan, social worker. Arrested during the 2nd half of December 1977, in B. Aires.

5. CASTRO de MARTINEZ, Maria Antonia: Uruguayan, physician, the wife of Mario Martinez, was arrested with him.

6. CABEZUDO PEREZ, Carlos Federico: Uruguayan, 29 years old, Mathematics

professor, arrested in B. Aires on 30th December 1977.

7. CARNEIRO DA FONTOURA, Jubelinho Andrés: Uruguayan, 34 years old, student, arrested together with his wife Carolina BARRIENTOS an Argentinean on 30th December 1977 in B. Aires.

8. GOMEZ ROSANO, Céllica: Uruguayan, 31 years old, employee. Arrested in B. Aires upon leaving her office, the 30th December 1977.

9. CASTILLO, Ataliva: Uruguayan, rural worker, arrested in B. Aires at the end of December 1977.

10. RIOS CASAS, Miguel Angel: Uruguayan, arrested in B. Aires during the last days of December 1977.

Note: Unless otherwise indicated , in all the cases cited above in which the persons were apprehended at their homes (in B. Aires), the Argentinean authorities have either refused to give any information about their detention, or have denied their detention. In all these cases the persons who were detained had not any penal or political antecedent in Argentina, but all of them had been persecuted in Uruguay by political reasons.

III Complete destruction of the constitutional Judicial Power and persecutions of lawyers.

The 1967 Uruguayan Constitution rests upon a carefully delineated separation of executive, legislative and judicial powers, that in fact has been utterly destroyed. The primary step in this process was the "coup d' état" of the 27th June 1973 which dissolved the elected General Assembly. Another recent step was the "Institutional Act. No. 8 of July 1st, 1977" by which the Executive (backed by the military) decrees the elimination of the Judicial Power as an independent State Power and makes the magistrates mere instruments of the Executive.

At the same time, the "Executive" took direct measures against the individuals who filled offices in the administration of justice. More than 10% of all judges and functionaries have been removed from office without following proper procedures, by a simple order of the Justice Ministry.

Lawyers have also been persecuted, in order to impede the exercise of their natural right to defend their clients, and to deny their clients right to be defended.

Among the numerous lawyers obliged to leave the country in the last three months we cite: ADREASSEN, Susana, CORBO, José Luis, URIOSTE, Fernando and MARTINEZ MORENO, José Carlos.

A list of lawyers arrested in these last six months is found below.

Thus the constitutional bulkward designed to protect the arbitrary exercise of Governmental powers has been completely destroyed.

IV DETAINMENTS

1. SCHUMANN PACHECO, Rodolfo: 55 years old, lawyer, one of the most famous penalists of Uruguay, author of many books and articles on Penal Law and Professor of Penal Law at the Law School of the Montevideo University. He never had any political activity except voting. He was arrested on September 30th 1977 and tried in a military court for "Asistencia a la Asociación", for "Usurpacion de Funciones" (Functions Usurpation), and for "desacato" (disobedience).
2. FRAGA, Jorge: Lawyer, he worked with Dr. Schuman and was captured with him.
3. FABRI, Hugo: Lawyer, 65 years old. Arrested on October 21st 1977 and later tried for "Atentado a la fuerza moral de las Fuerzas Armadas" ("Outrage against the moral resources of the Armed Forces"). He is prosecuted once (more than 6 years ago) he criticized an action of the military in a paper filed with a court. Being in prison, he suffered an heart attack.
4. BIASCO, Emilio: Lawyer, tried by a military court for "Atentado a la Fuerza moral de las Fuerzas Armadas". The prosecution is based on a plea filed with an administrative court which alleged that his client had been removed from public office for political reasons.
5. STURINI, Ertha: notary.
6. COLETTA, Alvaro: Law student
7. GONZALEZ MENTHOL, Julian: Dentist, former Dean of the Faculty of Dentistry, captured on January 3rd 1978, tried by a military court for "escarnio" ("derision") because he had criticized - 5 years ago during a session of the Faculty Council - the occupation and destruction of some university places by the military.

For the same reasons and almost at the same time many others university professors were prosecuted. The words considered punishable by the military courts in these cases, were pronounced also from university offices, some as long as 10 and even 15 years ago.

8. VIERA, Luis Alberto: Lawyer and notary.

9. FIRPO, Orlando: Notary.

10. FIRPO, Mario: Notary.

11. DRI, Jaime: Former Argentinean Deputy, captured in Montevideo on December 10th 1977.

✓ * 12. ESTRELLA AVILA BORGES, Miguel Angel: 40 years old, Argentinean, pianist. Arrested in Montevideo on December 14th 1977 and tried by a military court. He is a world famous pianist, Musicians and noted artists (among them Yehudi Menuhin) from different countries have declared their concern about this actual situation.

13. ODASSO BIANUCCI, Raquel: Argentinean, 25 years old, captured in Montevideo on December 14th 1977 and tried recently by a military court.

14. OLIVERA CRAIZOZ, Luisina Beatriz: Argentinean, 24 years old. Arrested the 14th December 1977 and later tried by a military court in Montevideo.

15. BRACONY LUCERO, Jaime Luis: Argentinean, 36 years old, arrested in Montevideo on December 14th 1977 and tried later by the military court.

16. VILARO, Gustavo: 27 years old, bank clerk and student, arrested in Uruguay the first days of December 1977. Hospitalized in the Military Hospital after being tortured.

17. BARREIX de VILARO, Rosita: Social worker, wife of Gustavo Vilaro. Captured at the beginning of December 1977. No information about his detention had been given by the authorities.

18. RODRIGUEZ, Juan Manuel: 29 years old, professor of the Faculty of Economy (Economical Sciences).

19. GUZMAN, Miguel, construction worker,

20. DOSSIL, Carlos, 21. FYNN, Cristina, 32 years old, social service,

22. ROSELLA, Jorge, 23. MARTINEZ, Ruben, 24. DURANTE, Julio, textile

worker, 25. NAHOUM, Benjamin, engineer, 26. STURINI, Marta, notary,

27. CRIMINELLE, Oscar, 28. KAPLAN, Miguel, student, 29. URIARTE, Dacis,

student, 30. NIN, Fernando, student, 31. SOLARI, Jorge, student, 32.

CHIAPPE, Walter, 33. DURAN, Carlos, electrician, Christian Worker's

Union leader, 34. IBARBURU, Ricardo, agronomist, CASTELLI, Carlos, worker

of the metalurgical branch, 36. BOTTI, Ricardo, 37. MUELA, Mary Gymnastic

Eduaction teacher, 38. BARRIOS, Sixto, 39. LARREA, J, bank clerk, NOGUEIRA,

Mario, textil worker, 41. LIGNERI, Graciela, textio worer, 42. VEZOLI,

43. MARICHAL, Graciela, 44. RODRIGUEZ, Alvaro, student, 45. GUEMES, Elbio, student, 46. ACCINELLI, Elbio, student, 47. ETCHENIQUE, Eduardo, student, 48. FERNANDEZ RAPETTI, Carlos, accountant, 49. FERNANDEZ CATTINO, Raul, accountant, 50. OREGGIONI, L., notary, 51. PEREZ ORTEGA, Juan Carlos, Lawyer, 52. ESPONDA DARDO, engineer, 53. ROSAS, Ricardo, engineer, 54. BONATIVA, Luis Pedro, rural producer, 55. REHERMAN, Celiar, 56. SWEDT, H, 57. CUNEO, José, 58. CARRIO, Pablo, 59. RUOCCO, Humberto, ACUNA, Carlos, 61. VARELA, Juan, 62. APARICIO, A, 63. ACOSTA, Mario, 64. PEREZ, Gualberto, 65. MEYER, Kurt, 66. EDELMAN, Julio, 67. VINAS, Luis, 68. SCARPA, Luis, 69. MUNIZ TABORDA, Judith, 70. MUNIZ TABORDA, Elvira, 71. HUERTAS, Jorge J. 72. TASSINO, Oscar, 73. GUTIERREZ, Ramon, 74. PALEIRO, Rosario, 75. LORIER, Alberto, 76. ARIGON, Eduardo, 77. TRELLES, O. 78. ACUNA, Carlos, 79. ORTIZ, J., 80. ESPINOLA, maria Mercedes, 81. ABELANDO, Hugo, 82. KONCKE, Marta, 83. RASENDE, Ana, 84. RODRIGUEZ, Juan C. 85. PEYROUX, Alberto, 86. MORALES, Amalia, 87. BARALDE, Juan Arturo, 88. TREJO, Alejandro, 89. SUAREZ, Ines, 90. BOTTANA, Nora, 91. LEV, Mario, 92. RODRIGUEZ, Anibal, 93. BLIXEN, Enrique, 94. MESA, Lidia, 95. ARREGUI, wario, writer, 96. BAUBETA, Milka (professor), 97. LATORRE, Raul, 98. PLATERO, Eduardo, 99. ALDROVANDI, Pedro, 100. GUARNIERI, Sonia, 101. GARCIA, Julio, 102. TERSAGHI, Daniel, 103. REGINESSI, Antonio, 104. PINEYRUA, Bernardo: Captain (Navy), former President of the Navy Club, on May 12th 1978 withdraw from active duty to retirement by order of the Navy Commander in Chief, and later tried by a military court.

V. ATTACKS AGAINST THE FREEDOM OF THE PRESS

1. On August 1977 the 3 editors of "El Dia" (newspaper), Dr. Guzman, Leonardo, Dr. Barbagelata, Anibal and Mr. Batlle Cheviere, Jose and two journalists of the same paper, Mr. Hierro, Luis and Mr. Crespo, Juan A., were arrested and interrogated for several hours about two news articles published by "El Dia". One reported a militar meeting held for decision of the new Chief of the Army nomination, and the other reproduced a judicial decisoon affirming the independency of the Judicial power and its judges. The Judge who signed that sentence was later removed from his office by an order of the Justice Ministry.

2. On 30th August 1977 the executive power decreed the closing (only for two editions) of the monthly review "Busqueda", edited by the jurist Ramon

Diaz and belonging to the close associates of Alejandro Végh Villegas Councillor of State. This sanction was inflicted because an article in the review criticized the "Institutional Act. Nr. 8" (see III above).

3. On September 12th 1977 the executive power mandated the permanent closing of the newspaper "El Herald" edited in the city of Young (Department of Rio Negro).

4. On 26 September 1977 the Executive decreed the closing for 10 editions of the newspaper "El Dia" as well as the expulsion from the country for an indefinite period of Dr. Leonardo Guzman, (see case 1 above), one of the paper's editor. Furthermore the Government decreed the suspension of all tax-exemptions and other benefits of the uruguayan press. The argument of these three sanctions was the publication in an advertising page of a coarse affront against the military.

The policy inquiry confirmed that the authorities of the newspaper were innocent of these insultant words (as they themselves had previously maintained). Some "El Dia" printing office workers were interrogated under torture in order to prosecute this case. The economic sanction was maintained for a month and Dr. Guzman was authorized to return to Uruguay only after three months.

5. From September 22nd to December 21st 1977 two Uruguayan newspapers did not receive the customary governmental advertising. This two month sanction was based on the unintentional neglect of publish an official communicate of the DINARP "Direccion Nacional de Relaciones Publicas" (an State office charged to assure the relationships between the Government and the Press).

6. In November 1977 a military court tried the journalist Guillermo Gonzalez (married, 42) for "Ataque a la fuerza moral de las Fuerzas Armadas" because he was the author of an interview (published 8 years ago) with political prisoner, in which the interviewed related the tortures inflicted during his detention period. The notary who assisted to this interview and certified it, Mr. José María Vilaboa was imprisoned and tried also at the same time that the journalist. (see situation III).

7. The Brazilian journalist Flavio TAVARES, correspondent of the newspapers "O Estado de Sao Paulo" and "Excelsior" of Mexico, was expelled from the country at the end of January 1978. Tavares had been captured and tried

by an Uruguayan military court on July 1977 because of his professional activities. Prior to his expulsion he was released in the beginning of January 1978.

VI Deprivation of the guarantees of a due process of law and equal protection of the law and of the right to a fair trial.

During the last months the military courts tried civilians for acts committed prior to the law which made them illegal. In many cases the same persons, was prosecuted again, for acts for which they had already served a term in prison. Thus they were punished twice by the military courts.

Among these are the following cases:

1. CAMPORA, David, Accountant. The military jurisdiction had ordered his release during the year 1973, but in reality he was not set free. 82 German Federal Republic Deputies addressed to the Uruguayan Government a petition asking for his freedom. Shortly afterwards the military courts tried him again for the same facts that had caused him original imprisonment.
2. ROMERO, Héctor: Worker.
3. DE VARGAS SACCONI, Washington: in this case we remark that this detainee, in the Libertad Prison, when he had news about his new trial, and fearing a new torture "process" (in order to get his "confessions" that would permit another judicial proceeding) attempted suicide by cutting his arms veins. Nevertheless a military court tried him again,

VII EXPULSIONS

Besides the expulsions cited above, the Uruguayan Government ordered on September 1977 the expulsion of Leonel BRIZOLA, a former Governor of Rio Grande do Sul (Brazil) in exile in Uruguay since 1964. He had no political activity and was not notified about the reasons of his expulsion.

VIII CASH PRISONS

In Uruguay, nowadays, the political prisoners must pay 10 new pesos for each day of detention or prison. This signifies that for each month in jail people must pay almost 60 dollars (the 75% of a good salary in Uruguay). Of course, this provision is applied only to political prisoners, and is not in force for the ordinary prisoners, who are allowed to work in prison and earn a low salary. The political prisoners who must pay for their stay

are not allowed to earn any salary or compensation for any kind of work or activity that they could (and often are forced to) perform.

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